

FF-02-03

2153

ATTORNEY DOCKET NO.

063170.2395

SERIAL NO.

09/363,001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INventor Application of:

Steven J. Moore et al.

Serial No.

09/363,001

Filing Date:

July 28, 1999

Group Art Unit:

2153

Title:

NETWORK PERFORMANCE MONITORING

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JUL 08 2003

Technology Center 2100

Assistant Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

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Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Applicants respectfully request, pursuant to 37 C.F.R. § 1.56, 1.97, and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. Copies of these references are enclosed for the convenience of the Examiner. Furthermore, pursuant to 37 C.F.R. § 1.97(h), no representation is made that these references qualify as prior art or that these references are material to the patentability of the present application.

Applicants respectfully submit that the claims of Applicants' above-referenced patent application are patentably distinguishable from these references.

Pursuant to 37 C.F.R. § 1.97, Applicants believe that this Information Disclosure Statement has been filed after the mailing date of the first Official Action but before the mailing date of either a Notice of Allowance or a Final Office Action. Therefore, Applicants attach a

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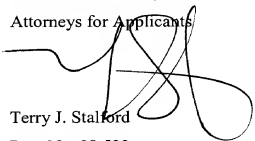
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check in the amount of \$180.00 to cover the required filing fee. No additional fees are believed to be due. However, if any additional fee is required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker & Botts, L.L.P.

Respectfully submitted,

BAKER & BOTTS, L.L.P.

Attorneys for Applicants



Terry J. Stalford

Reg. No. 39,522

2001 Ross Avenue
Dallas, Texas 75201-2980
(214) 953-6477
(kwl)

Date: 6/27/03